

UNITED STATES OF AMERICA

vs.

Troy Anthony Smocks

PRESENTENCE INVESTIGATION REPORT

Docket No.: 1:21CR00198-001

Prepared by: Aidee V. Gavito
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Sentence Date: To Be Determined

Offense:	Count 1:	Threats in Interstate Communications 18 USC § 875(c) 5 years imprisonment/\$250,000 fine
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Release Status: The defendant was arrested on January 15, 2021, in the Eastern District of Texas in Docket No. 4:21-mj-000333-KPJ. On January 21, 2021, he was committed to the District of Columbia.

Detainers: None.

Codefendants: None.

Related Cases: None.



Date Revised: October 4, 2021

So over the next 24 hours, I would say lets get our personal affairs in order. Prepare our weapons, and then go get 'em. Lets hunt these cowards down like the Traitors that each of them are. This includes RINOS, Dems, and Tech Execs. We now have the green light. [All] who resist US are enemies of Our Constitution, and must be treated as such. Today, the cowards ran as We took the Capital. They have it back now, only because We left. It wasn't the building that We wanted...it was them!

10. Officers also reviewed a video posted by Defendant Smocks to the social media platform YouTube in which he uses the alias "Colonel T Perez." In the video, Defendant Smocks challenges military veterans to conduct armed protests and to taunt protesters who aren't willing to actually fire their weapons.
11. Officers discovered that Defendant Smocks had a flight reservation for the morning of January 15, 2020, to a foreign country.
12. From the information reviewed, it appears Defendant Smocks created a Parler account, created the aforementioned statements, and published them. Thereafter, the electronic communications were viewed at least 60,926 and 54,000 times, respectively. The defendant willingly and knowingly transmitted in interstate or foreign commerce communications which contain a threat to kidnap any person or a threat to injure the person of another.

Victim Impact

13. This Title 18 offense involved generalized threats to injure or kidnap individuals. The defendant made statements about returning to Washington, DC on January 19, 2021, while armed. No information has been provided by the government relating to a request for restitution in this case.

Adjustment for Obstruction of Justice

14. The Probation Office has not received any information to suggest that the defendant willfully impeded or obstructed the administration of justice during the course of the investigation, prosecution or sentencing of the instant offense of conviction.

Adjustment for Acceptance of Responsibility

15. On September 29, 2021, Mr. Smocks pled guilty to Count One of the Indictment. Additionally, the defendant's attorney has confirmed that his client accepts responsibility for the offense. Accordingly, a two-level reduction for acceptance of responsibility is applicable, pursuant to USSG § 3E1.1(a). Upon motion of the government, the defendant may be eligible for an additional one-level reduction, pursuant to USSG § 3E1.1(b).

Offense Level Computation (2018 US Sentencing Guidelines)

16. Count 1: Threats in Interstate Communications, 18 USC § 875(c)
17. Deleted.
18. Deleted.